

No. 24-2071

IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

VIRGINIA COALITION FOR IMMIGRANT RIGHTS, et al.,
Plaintiffs – Appellees,

v.

SUSAN BEALS, in her official capacity as Virginia Commissioner of
Elections, et al.,
Defendants – Appellants.

On Appeal from the United States District Court
for the Eastern District of Virginia

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
OPENING BRIEF AND JOINT APPENDIX**

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On November 18, 2024, this Court entered a briefing order setting the due date for Appellants' opening brief and joint appendix as December 30, 2024. Presently pending before the Court is Appellants' consent motion to dismiss this appeal as moot and opposed motion for vacatur of this Court's order denying the emergency application for stay pending appeal and the district court's order granting the preliminary injunction giving rise to this appeal. Pursuant to Local Rule 31(c), Appellants respectfully request a 30-day extension of time within which to file their opening brief and joint appendix, which would extend that time from December 30, 2024 to January 29, 2025. Counsel for Appellees have been advised of this motion and do not oppose the relief requested.

Good cause exists for the extension, and this motion is not made for any improper purpose or delay. This request is necessary to allow time for this Court to resolve the motions presently pending before it that are likely to ultimately resolve this appeal. In addition, this request is necessary to accommodate scheduling conflicts Appellants' counsel have with other matters during the briefing period as well as planned travel, religious celebrations, and office closures during late December and early January.

For these reasons, Appellants respectfully request a 30-day extension for the deadline to file their opening brief and joint appendix—from December 30, 2024 to January 29, 2025.

Dated: December 23, 2024

Respectfully submitted,

COMMONWEALTH OF VIRGINIA; VIRGINIA STATE BOARD OF ELECTIONS; SUSAN BEALS, in her official capacity as Virginia Commissioner of Elections; **JOHN O'BANNON**, in his official capacity as Chairman of the State Board of Elections; **ROSALYN R. DANCE**, in her official capacity as Vice-Chairman of the State Board of Elections; **GEORGIA ALVIS-LONG**, in her official capacity as Secretary of the State Board of Elections; **DONALD W. MERRICKS** and **MATTHEW WEINSTEIN**, in their official capacities as members of the State Board of Elections; and **JASON MIYARES**, in his official capacity as Virginia Attorney General

/s/ Erika L. Maley

Erika L. Maley (VSB #97533)

Solicitor General

Counsel for Defendants-Appellants

CERTIFICATE OF COMPLIANCE

This motion complies with the type-volume limitations of Fed. R. App. P. 27(d)(2)(A) because it contains 229 words. It complies with the typeface and the type style requirements of Rule 27(d)(1)(E) because it has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Century typeface.

/s/ Erika L. Maley

Erika L. Maley

Solicitor General

Counsel for Defendants-Appellants

CERTIFICATE OF SERVICE

I certify that on December 23, 2024, I electronically filed the foregoing motion with the Clerk of this Court by using the appellate CM/ECF system. The participants in the case are registered CM/ECF users and service will be accomplished by the appellate CM/ECF system.

/s/ Erika L. Maley

Erika L. Maley

Solicitor General

Counsel for Defendants-Appellants